

## **MINUTES OF MEETING JULY 8, 2008**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 8<sup>th</sup> day of July 2008, the Commissioners' Court convened the Voting Session at 9:14 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:11 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:42 PM and adjourned at 1:43 PM.

The Commissioners Court reconvened the Voting Session at 1:43 PM.

The Commissioners Court retired to Executive Session at 2:58 PM.

The Commissioners Court reconvened the Voting Session at 4:41 PM.

The Commissioners Court adjourned the Voting Session at 4:47 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 7.5-FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 10 AND 11 OF WHITE RIM MOUNTAIN, SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #9) (9:15 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 9 for a summary of the action item.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public hearing.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

2. RECEIVE COMMENTS REGARDING A PLAT VACATION IN PRECINCT TWO: REPLAT OF LOT 2, BLOCK A, NORTH PARK, SECTION TWO SUBDIVISION (1 TOTAL LOT). (COMMISSIONER ECKHARDT) (ACTION ITEM #10)  
(9:16 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 10 for a summary of the action item.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Gómez to open the public hearing.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Daugherty to close the public hearing.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Stuart Thomas Gerstacker, Travis County Resident; and Gus Peña, Travis County Resident. (9:18 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1 and Items 4, 5, 6, 7, 8, 9, 10, 14.A-C, 15, 16, 19, 20, 22, 24, 25, 27.A-C, 29, 31, and 32. (9:26 AM)

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF JUNE 10, 24 AND 26, 2008. (9:29 AM)

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to approve the minutes for June 10, and 26, 2008.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to approve the minutes for June 24, 2008.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	abstain
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**SPECIAL ITEM**

3. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:30 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Staff's recommendation to renew the burn ban up to 30 days, which the law allows, but to review it weekly.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 3 to be reposted July 15, 2008.

**PURCHASING OFFICE ITEMS**

4. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (9:26 AM)

**Clerk's Note:** Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

5. APPROVE TERMINATION OF CONTRACT NO. 07T00238NB, VRM SECURITY PROTECTION AGENCY, FOR ON-SITE SECURITY GUARD SERVICE. (DOMESTIC RELATIONS AND TRAVIS COUNTY COUNSELING AND EDUCATION SERVICES) (9:26 AM)

**Clerk's Note:** Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. REJECT ALL BIDS RECEIVED FOR IFB NO. B080192NB, SAFETY SUPPLIES AND EQUIPMENT, AND REBID. (TRANSPORTATION AND NATURAL RESOURCES) (9:26 AM)

**Clerk's Note:** Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 07AE0021JW, ALAN PLUMMER ASSOCIATES, INC., PROFESSIONAL ENGINEERING SERVICES, NORTH RIDGE ACRES WATER SYSTEM. (COUNTY JUDGE'S OFFICE) (9:26 AM)

**Clerk's Note:** Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. APPROVE CONTRACT AWARD FOR IT SECURITY PRODUCTS, SUPPORT AND SERVICES, RFP NO. P080155LC, TO THE BEST PROPOSER, FUTURECOM, LTD. (INFORMATION TELECOMMUNICATIONS SYSTEMS) (9:26 AM)

**Clerk's Note:** Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## **TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

9. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 7.5-FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 10 AND 11 OF WHITE RIM MOUNTAIN, SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:26 AM)

**Clerk's Note:** Item 9 is the action item for the public hearing on Agenda Item 1.

**Clerk's Note:** Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT VACATION IN PRECINCT TWO: REPLAT OF LOT 2, BLOCK A, NORTH PARK, SECTION TWO SUBDIVISION (1 TOTAL LOT). (COMMISSIONER ECKHARDT) (9:26 AM)

**Clerk's Note:** Item 10 is the action item for the public hearing on Agenda Item 2.

**Clerk's Note:** Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON WANDERING CREEK PRELIMINARY PLAN AND A PHASING AGREEMENT WITH WANDERING CREEK INVESTMENTS L.P., A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:14 AM)

Item 11 postponed until July 22, 2008.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO REVISE TRAVIS COUNTY CODE SECTION 10.0535, ON-SITE RESIDENCE FOR PARK STAFF AND THE RANGER RESIDENCE POLICY. (COMMISSIONER DAUGHERTY) (9:33 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Charles Bergh, Division Director, Parks and Natural Resources, TNR; and Roger El Khoury, Director, Facilities Management.

Discussion only. No formal action taken.

Item 12 to be reposted on July 22, 2008.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT THREE: MCCORMICK MOUNTAIN DRIVE. (COMMISSIONER DAUGHERTY) (10:35 AM)

**Members of the Court heard from:** Anna Bowlin, Program Manager, Planning and Engineering, TNR.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 13.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SOLA VISTA PRELIMINARY PLAN: (9:26 AM)

A. REQUEST FOR A VARIANCE TO CHAPTER 82, SECTION 82.202(1)(B), BLOCK LENGTH NOT TO EXCEED 1,200 FEET IN LENGTH IN SUBURBAN SUBDIVISIONS;

B. REQUEST FOR A VARIANCE TO CHAPTER 82, SECTION 82.202(E)(2), DUAL ACCESS, A NEW SUBDIVISION MUST HAVE AT LEAST TWO ACCESS STREETS AND CONNECT TO A DIFFERENT EXTERNAL STREET; AND

C. A PRELIMINARY PLAN IN PRECINCT THREE: SOLA VISTA PRELIMINARY PLAN (91 TOTAL LOTS). (COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 14.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## PLANNING AND BUDGET DEPT. ITEMS

15. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:26 AM)

**Clerk's Note:** Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.



16. CONSIDER AND TAKE APPROPRIATE ACTION ON GRANT APPLICATION TO THE TEXAS DEPARTMENT ON AGING (THROUGH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE) FOR HEALTH AND HUMAN SERVICES RETIRED SENIOR VOLUNTEER PROGRAM TO SUPPORT THE GENERAL OPERATING EXPENSES OF THE PROGRAM. (9:26 AM)

**Clerk's Note:** Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PROPOSED DRAFT ADVERTISEMENT AND SCHEDULE FOR ADVERTISING THE PUBLIC HEARING TO SET ELECTED OFFICIALS' SALARIES FOR FISCAL YEAR 2009 AND THE CALENDAR FOR ACTIONS FOR THE REMAINDER OF THE SALARY SETTING PROCESS. (2:16 PM)

**Members of the Court heard from:** Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO); Rodney Rhoades, Executive Manager, PBO; Barbara Wilson, Assistant County Attorney; and Carlotta Valdez Leavy, Senior Human Resources Analyst, Compensation; Human Resources Management Department (HRMD).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve 3.5%, and if we need to go down, we do.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

18. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CHASE BANK TO ALLOW THE BANK TO EXHIBIT TRAVIS COUNTY'S USE OF CHASE'S DOCMANAGER SERVICES AS AN EXAMPLE/CASE STUDY TO CHASE BANK'S CUSTOMERS. (10:08 AM) (10:13 AM) (10:33 AM)

**Clerk's Note:** Judge Biscoe announced that Item 18 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Mary Mayes, Investment Manager, Cash/Investment Management; and Barbara Wilson, Assistant County Attorney.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Gómez that we approve the proposed marketing materials with the exclusion of the quote by the Travis County employee on the right-hand side.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	abstain
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## ADMINISTRATIVE OPERATIONS ITEMS

19. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR PARTICIPANTS IN THE TRAVIS COUNTY EMPLOYEE HEALTH CARE FUND FOR PAYMENT OF \$637,414.29 FOR THE PERIOD OF JUNE 20 TO JUNE 26, 2008. (9:26 AM)

**Clerk's Note:** Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:26 AM)

**Clerk's Note:** Item 20 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. DISCUSS AND TAKE APPROPRIATE ACTION ON RECOMMENDATION FOR FISCAL YEAR 2009 DENTAL INSURANCE PLAN. (10:40 AM) (2:58 PM) (4:42 PM)

**Clerk's Note:** Judge Biscoe announced that Item 21 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD; Cindy Purinton, Benefit Administrator, HRMD; Lolly Jones, Purchasing; Barbara Wilson, Assistant County Attorney; Alicia Perez, Executive Manager, Administrative Operations; Cyd Grimes, Travis County Purchasing Agent; and David Escamilla, Travis County Attorney.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 21, that includes the letter being sent to the two parties.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The County Judge noted that by approving Item 21, the Court is approving the rate plan and the rates, and a letter is to be sent to MetLife and Mr. Mitchell clarifying Travis County's position on this issue. When the contract is ready, it will be brought back to the Court for approval.

## OTHER ITEMS

22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:26 AM)

**Clerk's Note:** Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(1:43 PM)
- A. RECEIVE UPDATE AND STATISTICAL COMPARATIVE ANALYSIS ON ELECTRONIC AGENDA PILOT PROGRAM WITH RFP DEPOT;
  - B. REQUEST TO PURSUE AN ELECTRONIC AGENDA SOLUTION FOR TRAVIS COUNTY AND ESTABLISH A BUDGET FOR THE PROJECT; AND
  - C. ISSUANCE OF REQUEST FOR PROPOSALS FOR THE PURCHASE OF A COMMISSIONERS COURT MEETINGS SYSTEM FOR THE COUNTY CLERK AND AN ELECTRONIC AGENDA SYSTEM FOR THE COMMISSIONERS COURT.

**Clerk's Note:** Items 23.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; Melissa Velasquez, Executive Assistant, County Judge's Office; Judy Pittsford, Project Manager, Information and Telecommunications Systems (ITS); and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Items 23.A-C.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT DR. CARLA EMERY-CULBERSON AS FIRE COMMISSIONER TO THE EMERGENCY SERVICES DISTRICT NO. 4 BOARD TO REPLACE FLO SOLIZ EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2009.  
(COMMISSIONER DAVIS) (9:26 AM)

**Clerk's Note:** Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT EFREN BRITO TO SERVE AS FIRE COMMISSIONER TO EMERGENCY SERVICES DISTRICT NO. 2 BOARD TO REPLACE BRIAN THOMPTON EFFECTIVE IMMEDIATELY THROUGH DECEMBER, 2008. (COMMISSIONER ECKHARDT) (9:26 AM)

**Clerk's Note:** Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CREATION OF AN INTERGOVERNMENTAL RELATIONS COORDINATOR POSITION, INCLUDING: (2:31 PM)

- A. GIVE DIRECTION TO PLANNING AND BUDGET OFFICE REGARDING PLACEMENT IN THE BUDGET HEARING PROCESS;
- B. DIRECT HUMAN RESOURCES MANAGEMENT DEPARTMENT TO CREATE APPROPRIATE SLOT(S) FOR THE POSITION(S); AND (COMMISSIONER ECKHARDT)
- C. OTHER ACTIONS RELATED THERETO.

**Clerk's Note:** Items 26.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the position and the budget as outlined, which is approving the job description, but I would request that we come up with a creative way to advertise the position as we have done in two or three instances in the past, so we would take a week or two to try to work on that.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	abstain

27. RECEIVE AUDIT REPORTS FOR THE FOLLOWING EMERGENCY SERVICES DISTRICTS (ESD'S): (9:26 AM)

- A. ESD NO. 8 FOR FISCAL YEARS 2004, 2005 AND 2006;
- B. ESD NOS. 10 AND 14 FOR FISCAL YEAR 2006; AND
- C. ESD NOS. 3, 4, 6, 9 AND 11 FOR FISCAL YEAR 2007.

**Clerk's Note:** Items 27.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON APPRAISAL METHOD FOR PARKE PROPERTIES I AND II, L.P. AND GDF REALTY INVESTMENTS LTD. FOR THE ACQUISITION OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (COMMISSIONER DAUGHERTY) (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY, AND 551.072, REAL PROPERTY) (11:02 AM) (2:58 PM) (4:43 PM)

**Clerk's Note:** Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

**Members of the Court heard from:** Jim George, Attorney representing GDF Realty Investments LTD; Melinda Mallia, Environmental Project Manager, TNR; and Dr. Fred Purcell, Principal, GDF Realty Investments LTD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty that we direct Staff to contact the U.S. Fish and Wildlife Service (USFWS), Staff being TNR and the County Attorney's Office and any other appropriate Staff as determined by those two departments; that we have an appropriate follow up conversation with the USFWS about the proposal laid out before us this morning, and that our Staff acquire any and all appropriate information for our consideration in the future; that we have this matter back on the Agenda July 15, 2008 just in case there is a follow-up report and discussion necessary.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 28 to be reposted on July 15, 2008.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSIGNMENT OF OIL AND GAS LEASE COVERING TRACTS 46, 47 AND 58 OF THE TRAVIS COUNTY SCHOOL LAND FROM ESTACADO ENERGY, LLC TO VENETO EXPLORATION, LLC. (9:26 AM)

**Clerk's Note:** Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED CHANGES TO SHERIFF'S OFFICE DISPATCH INTERLOCAL AGREEMENT. (SHERIFF'S OFFICE) (2:08 PM)

**Members of the Court heard from:** Paul Knight, Travis County Sheriff's Office (TCSO); and Jim Connolly, Assistant County Attorney.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Eckhardt to approve Item 30.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO INCREASE AMOUNT OF CHANGE FUND FOR THE COUNTY CLERK'S OFFICE. (COUNTY CLERK) (9:26 AM)

**Clerk's Note:** Item 31 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON INCREASE TO MILEAGE RATE REIMBURSEMENT FOR BUSINESS USE TO 58.5 CENTS PER MILE EFFECTIVE JULY 1, 2008. (9:26 AM)

**Clerk's Note:** Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**EXECUTIVE SESSION ITEMS**

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING COMMERCIAL STRUCTURES AT 5516 U.S. HIGHWAY 71 EAST, CEDAR CREEK, TEXAS 78712 AND NON-COMPLIANCE WITH TRAVIS COUNTY FIRE CODE. <sup>1</sup> (2:58 PM) (4:44 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Gary Martin, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we approve the proposed resolution that authorizes the filing of a civil action, a request for a Temporary Restraining Order (TRO) at the appropriate time; and pursuit of any other civil penalties, or other appropriate action, to secure compliance with the County policies and standards, and civil damages on behalf of the Commissioners Court and Travis County.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The County Judge noted that by approving the resolution the County Attorney's Office is given authorization to secure appropriate experts as needed.



34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION AND/OR CONSIDER SETTLEMENT OFFER REGARDING GREGORY EALEY, FILE NUMBER 245.806, (REQUESTED BY PLAINTIFF). <sup>1</sup> (3:00 PM)

**Clerk's Note:** Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 34 postponed.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON VARIOUS COMPENSATION, EXPENSE AND BENEFIT ISSUES REGARDING EXECUTIVE MANAGERS ALICIA PEREZ, JOE GIESELMAN, SHERRI FLEMING, DANNY HOBBY, ROGER JEFFERIES AND RODNEY RHOADES. <sup>3</sup> (2:58 PM) (4:45 PM)

**Clerk's Note:** Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez that we authorize a pay increase in the amount of \$4,000.00 to Executive Managers; Alicia Perez, Executive Manager, Administrative Operations; Joe Gieselman, Executive Manager, TNR; Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Danny Hobby, Executive Manager, Travis County Emergency Services; and Roger Jefferies, Executive Manager, Justice and Public Safety (JPS), and that this be made effective August 1, 2008.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by Judge Biscoe and seconded by** Commissioner Gómez that, as to Rodney Rhoades, Executive Manager, PBO, we authorize an additional amount of \$1,500.00, which would include \$1,000.00 in relocation expenses, plus another \$500.00 for housing expenses, during the transition period that he's experienced, but the total would be \$1,500.00.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## ITEM 35 CONTINUED

**Motion by Judge Biscoe and seconded by** Commissioner Gómez that as to the five Executive Managers that I mentioned in the first motion, and Rodney Rhoades, Executive Manager, PBO in the second; that these managers look at their departmental budgets, specifically salary savings, but any other appropriate line items, for which these sums may be taken and funded, and that if this does not work out, they come back to the Commissioners Court and we will identify an alternative source of funding.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

## ADJOURNMENT

**Motion by Commissioner Davis and seconded by Commissioner Daugherty to adjourn the Voting Session. (4:47 PM)**

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

**Date of Approval**

**Samuel T. Biscoe, Travis County Judge**